UNITED
NATIONS

CCPR

International covenant
on civil and
political rights

Distr.
GENERAL

CCPR/SP/39
24 January 1994

ENGLISH
Original: ENGLISH/FRENCH

MEETING OF STATES PARTIES
Thirteenth meeting
New York, 16 March 1994

# ELECTION, IN ACCORDANCE WITH ARTICLES 28 TO 34 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, TO FILL A VACANCY ON THE HUMAN RIGHTS COMMITTEE

## Note by the Secretary-General

1. In conformity with article 30, paragraph 4, and article 34 of the International Covenant on Civil and Political Rights, the 13th meeting of States parties to the Covenant will be convened by the Secretary-General at United Nations Headquarters on Wednesday, 16 March 1994, for the purpose of filling a vacancy on the Human Rights Committee resulting from the death of Mr. Janós Fodor (Hungary) who had been elected at the 12th meeting of States parties for a term that was to expire on 31 December 1996. For the information of the States parties, the present membership of the Human Rights Committee is contained in annex I.

2. In accordance with article 33, paragraph 2, and article 34 of the Covenant, the Secretary-General, in a note verbale dated 16 November 1993, invited the States parties to submit, in conformity with article 29 of the Covenant, their nominations for the election of one member of the Committee within two months, i.e. by 15 January 1994.

3. In compliance with the provisions of article 34, paragraph 2, of the Covenant, the Secretary-General has the honour to indicate below the names of the persons nominated for election to the Human Rights Committee, indicating the States parties which have nominated them:

| Name of candidate | Nominated by |
|---|---|
| Mr. Tamás Bán | Hungary |
| Mr. Florin Costiniu | Romania |
| Mr. Mainassara Maidagi | Niger |

## Annex I

### MEMBERSHIP OF THE HUMAN RIGHTS COMMITTEE

| Names and Countries | |
|---|---|
| Mr. Francisco José Aguilar Urbina ** | Costa Rica |
| Mr. Nisuke Ando * | Japan |
| Mr. Marco Tulio Bruni Celli ** | Venezuela |
| Mrs. Christine Chanet * | France |
| Mr. Vojin Dimitrijevic * | Yugoslavia |
| Mr. Omran El Shafei * | Egypt |
| Mrs. Elizabeth Evatt ** | Australia |
| Mr. Laurel Francis ** | Jamaica |
| Mr. Kurt Herndl * | Austria |
| Mrs. Rosalyn Higgins ** | United Kingdom of Great Britain and Northern Ireland |
| Mr. Rajsoomer Lallah ** | Mauritius |
| Mr. Andreas V. Mavrommatis ** | Cyprus |
| Mr. Birame Ndiaye * | Senegal |
| Mr. Fausto Pocar ** | Italy |
| Mr. Julio Prado Vallejo * | Ecuador |
| Mr. Waleed Sadi * | Jordan |
| Mr. Bertil Wennergren * | Sweden |

---

* Mandate expiring on 31 December 1994.

** Mandate expiring on 31 December 1996.

Annex II

BIBLIOGRAPHICAL DATA

Mr. Tamás Bán (Hungary)

Born in 1932, in Budapest.

Graduate of the Law Faculty, University Eötvös Lóránd, Budapest, in 1955.

Member of the Székesfehérvár Prosecution Office, acting in criminal and family matters, 1956-1959.

Receives scholarship from French Government in 1960, post-graduate studies in comparative law with Professor René Dávid, Law Faculty of the Sorbonne University, Paris, 1960-1961.

Between 1963 and 1966, attends the summer courses of the International Comparative Law Faculty in Strasbourg.

Enters the Ministry of Justice staff in 1962. Since then he has been serving in this Ministry. In 1962-1972, member of the legislative section, dealing with the drafting of laws, mostly in the field of civil law. From 1972 on, appointed to lead, as Director General, the International Law Division. Responsible, among other things, for the preparation of laws in the field of private international law, international trade law, and international criminal law. As head of many Hungarian delegations he has negotiated in: both civil and criminal matters, extradition, transfer of sentenced persons, recognition and enforcement of foreign judgements in civil and commercial matters.

He took the initiative for and played a key role in Hungary's re-entry into the Hague Conference on Private International Law in 1984.

Personal adviser to the Minister of Justice from 1988 to 1990, charged with the task, after the acceptance of the Optional Protocol to the Convention, of analysing the compatibility of the Hungarian legal regulations on human rights with the provisions of the International Covenant on Civil and Political Rights, with a view to better adjusting the Hungarian legal system to the requirements of the Covenant. Following his proposals several basic laws have been passed and others, including the human rights chapter of the Constitution, amended.

The periodical reports of Hungary to be submitted to the United Nations Secretary-General on the implementation of its human rights treaty obligations under the Covenant and other United Nations treaties and conventions have long since been drawn up either under his guidance or with his active cooperation.

Since the earliest days of Hungary's approach towards the Council of Europe he has been one of the Hungarians negotiating the setting up of a cooperation programme in the legal and human rights field. Since 1990 he has been representing Hungary on the European Committee on Legal Cooperation,

which recently elected him a member of its Bureau. At present he is the Hungarian representative to the Council of Europe's Committee of Experts for the improvement of the procedures for the protection of human rights.

He was one of the two personalities appointed by the Cabinet in 1990 to prepare the signature, later the ratification, by Hungary of the European Convention on Human Rights and Fundamental Freedoms. The fact, that his interest and activity have been concentrated on human rights is well demonstrated by the attached list of his publications, which have recently been completely dedicated to this subject. From among his publications it is worth mentioning his study summarizing the conclusions of the two-year-long scrutiny of the Hungarian legal system to ensure greater conformity with the Convention's requirements. The chapters he wrote are already available in English; they will probably be published soon. He is also preparing for publication a handbook on the everyday practice of the Convention's organs to help applicants and solicitors to better argue their cases in Strasbourg.

As a guest professor he regularly reads lectures on international criminal law and on human rights at the Miskolc and Budapest law faculties, as well as in special courses held for justices to train them in the international aspects of human rights.

Since 1980, when he was elected Judge of the Arbitration Court of the Hungarian Chamber of Commerce, he has sat in more than 150 cases either as presiding Judge or as a member of the panel.

Married since 1956, his wife is a Judge of the Supreme Court. His son is a lawyer and journalist.

His working languages are English and French, which he speaks fluently. In addition, he understands German and Russian.

Publications:

Torts in present-day French law (Essays on Civil Law Issues, 1963)

Hungary's legal assistance relationships (treaties and reciprocity) (Review of Economic and Legal Sciences, 1980)

Municipal law - foreign law - international law (Legal Policy, 1981)

On Hungary's legal assistance treaties (Legal Policy, 1982)

Essay on the need for a concise Hungarian legislation on cooperation in criminal matters (extradition, legal assistance, transfer of proceedings, transfer of sentenced persons) (Hungarian Law Review, 1983)

Important evolution in international family law; the Hague Child Abduction Convention (Hungarian Law Review, 1986)

Proposal to draft a new law on international cooperation in criminal matters; text of the bill drawn up by the author (Hungarian Law Review, 1987)

Right to asylum; Hungary became a member to the Geneva Convention (Hungarian Law Review, 1989)

Hungary and the European Convention on Human Rights (Hungarian Law Review, 1990)

Preparatory steps for the ratification of the European Convention on Human Rights (Hungarian Law Review, 1991)

Prohibition of discrimination under the European Convention on Human Rights (Acta Humana, 1991)

Impact of the European Convention on Human Rights on the legislation in Hungary (Hungarian Law Review, 1992)

Prognostics on the impact of the European Convention on Human Rights on the case-law of the courts in Hungary (Gazette of the Supreme Court, 1992)

Effects of the Hungarian membership in the Council of Europe on the evolution of the laws in Hungary (Review of Legal Sciences, 1992)

Report summing up the two-year-long activity to prepare the ratification of the European Convention on Human Rights. Conclusions, proposals for legislation (Acta Humana, 1992; this issue has been published with the financial assistance of the Council of Europe)

Important tendencies in international procedural law; multilateral treaties on the recognition and enforcement of foreign judgements in civil and commercial matters (Hungarian Law Review, 1993)

Mr. Florin Costiniu (Romania)

Civil status

Date and place of birth: 12 February 1954 in Bucharest (Romania)

Married, one child

Academic profile

Bachelor of Law (first in the class of 1978, University of Bucharest), post-graduate diplomas in criminal (1982) and civil (1984) matters, international law and international relations (1986), and human rights (1993). First (summa cum laude) in the magistrates' examination (1987).

Candidate for the degree of Doctor of Law from the University of Bucharest; subject: "The European Convention on Human Rights and Romanian legislation on criminal procedure".

Associate lecturer in the Faculty of Law, Bucharest.

Current duties (1993)

Secretary of State in the Ministry of Justice, Chief of the Department of Courts, Organization and Human Resources (since 13 July 1993).

Member of the Romanian Association of Scientists (since 1980).

Member of the Board of the Romanian Association of Judges.

Career

1980 - Admitted to the Magistrature

20 January 1987 - Adjudged first (summa cum laude) in the magistrates' examination

17 April 1987 - Judge in the Bucharest Municipal Court

16 October 1990 - Director of the Judicial and Notaries Department in the Ministry of Justice

13 July 1993 - Secretary of State in the Ministry of Justice, Chief of the Department of Courts, Organization and Human Resources.

Publications

Between 1979 and 1989, published in the Romanian Law Review and Legal Studies and Research over 20 articles containing commentaries and analyses of judicial practice in criminal matters and criminal and civil procedure. In 1990-1993, prepared and presented, at national and international meetings on legal subjects, several monographs, summaries and studies, to be published in a single volume. These works include:

"The status of legislative reform in Romania with regard to the effective protection of the right to individual freedom" (Strasbourg, 1991);

"New guarantees of the exercise of the right to defence" (Bucharest, 1991);

"The European Convention on Human Rights and its compatibility with Romanian legislation (Vienna, 1991);

"The separation of powers in the State and the independence of justice in the light of the new constitutional provisions" (Bucharest, 1982);

"Aspects of the protection of the privacy of the individual" (Bucharest, 1992);

"The rights to a fair trial" (Bucharest, 1992);

"Observations on the implementation of the principles embodied in articles 5 and 6 of the European Convention on Human Rights in the judicial practice of Romanian courts" (Strasbourg, 1992);

"Non-discrimination in the administration of justice" (The Hague, 1993);

"The protection of private property - theoretical and practical aspects after 1989" (Hamburg, 1993);

"The right to a public image and freedom of the press" (Bucharest, 1993);

"New regulations relating to criminal procedure in the area of the protection of the right to the inviolability of the home" (Bucharest, 1993).

Mr. Mainassara Maidagi (Niger)

[Biographical note will be issued as an addendum to the present document when received from nominating Government.]

---